1

G R S App F [X 4]

1947 - 48

File No 3 - 47

Previous References

(nil)

Serial Nos 34, 35

Later References

nil 5-48 (2-3)

GENERAL AND REVENUE SECRETARIAT

Serial Nos

TWO

Part B for - Maintenance

SUBJECT

Transfer of the municipal gardens, Mandya, to the Control of the Mandya Municipality

L 14636-38

2 18 3 48

To

D C Mandya
Comptroller to Govt
Supdtt Govt Gardens

Sanctions [illegible]

Letter no 35/11 D 7 9 8 47 from the Suptd. Gs submitting proposals for the transfer of the Municipal Gardens, Nawalya to the Control of the Gardens Dept and requesting sanction thereto.

1 The Suptd. Gs states that in the circumstances explained it is necessary to transfer the municipal Gardens, Nawalya to the Control of the Gardens Dept and requests sanction thereto.

2 As regards the expenditure for its maintenance the Suptd. states that the amount of Rs 5000/- has to be received from the municipality every year and also the non recurring items also to be met by the municipality

3 But it is seen from the letter D 8 / 47 from the President of the Municipality, that the Municipality has resolved not to transfer the Gardens to the Gardens Dept. Anyhow in the meanwhile the Suptd. has again addressed the Municipality to reconsider the question. Hence if approved the Suptd. Gs may be asked to furnish the opinion of the Municipality on the matter, before considering the proposal to take over the Municipal Gardens under the Control of the Gardens Dept

"R"

Gen Secy / 19/8

4) Remarks of Wd & Q scell may be obtained on the proposal

19/8

CEN & REV SECRETARIAT 766 25 AUG 1947 LB BRANCH

VD 01570—( )—500 pads of 100 sheets—Feb—12 2 46

5) When the Mandya Town municipal council have resolved to maintain the municipal park by themselves, there is no point in forcing the said Council to accede to the request of the Supdt. Govt Gardens to hand over the management of the park to the Dept. of Govt. Gardens meeting the recurring and non-recurring charges therefor from out of the said funds. Govt cannot force the said Council to act against their resolution. On the other hand, it would, perhaps be, advisable to appoint the services of a suitable experienced overseer to look after the park.

6) The Mandya Town Council is not willing to transfer the maintenance of the gardens to the Gardens Dept, keeping the charges incurred by it from the funds at their disposal. In this case it is to report to Govt. the Deputy Commissioner is to advise, the said Council to reconsider their decision and to see that the gardens are properly maintained. The Dept. of Horticulture may also inspect the gardens from time to time and offer suggestions for improving the manner of maintenance.

These gardens include a nursery for the cultivation of plants required for the gardens under the Mandya Municipality.

Revised 30/8/47

A

WD 01570—GPB—500 pads of 100 sheets each—12 2 46

7) Is there no provision under the Town Municipalities Act to give direction to the Municipality, if it ~~does~~ fails to perform its duties satisfactorily - I think there is a provision to this effect - Please Verify & note

8) In case such a provision does exist, can we not direct the Municipality under that provision to access to the proposal of the applt in the interest of town & the public?

8
3/9/24

(not a Municipality / Special post) * 9) Maintaining Public parks, falls under discretionary functions of Municipal Councils which may, at their discretion, provide all of the said funds, either wholly or partly, for maintenance of Public parks therefore it cannot be said that the said Council has made default in performing any duty imposed on it

10) the best that could be done in the matter is as suggested at para 6(A) supra for orders

4/9 JM 5/9

1135/mil

10) For orders - representations & suggestions
received by
9-9-47

11) Reference para 6 supra -
The D C Nandyal will be
requested to advise
the municipality to
accede to the proposal
of the Supdt of
Gardens, as it is desirable that the
park, which has been formed at considerable
expense & effort,
should be
maintained
in a proper
condition, worthy
of the Sub Headquarters town.

Minister
Rev & Cons

12/9/47

CENTRE FOR MILITARY INTELLIGENCE
2920.
11947

11/9

12/9

12) Appr letter put up

13) Submit with a draft letter for appl
Ulto -
15/9 JM

14) Issued
Ulto 16/9

TYPING SECTION
16 SEP 1947

To The Dy Commr. Nandyal
no L 9594 dt 23/9/47
Calls for some appl information
25/9

1135/ml U3196/ml

Transfer of the Municipal park at Nawalya to the Control of the gardens Department

---

From

The Dy Comm Nawalya Western Province

No A 5'-2199/44 45 Dy 6 12 47

Forwards for sanction a fresh Resolution D/31 10 47 of the Nawalya Town municipal Council recommending the continuance of the park under the Control of the Municipality and the making available of the services of Mr. G N Ranawaka to the Municipality as park overseer

---

1) The D C reports that the Municipal Council is keen that the park should continue under its Control

2) The Municipal park is stated to have been laid out and maintained very well upto 1942 when Mr G N - Ranawaka was the Horticultural overseer, even when it was under the Control of the Municipality The present bad condition of the park in the town must appear to be not so much due to it's being under the Control of the Municipality, but the withdrawal of the services of Mr G N Ranawaka by the Gardens Department without sending a suitable substitute

3) The Municipal Council and the Townspeople

1135/ml 3196/ml

towns-people are anxious to serve the Services
of the Ramanaik Agency

18) The Municipal Council is said to
be very enthusiastic to maintain the park in an efficient
manner
and perhaps it would be desirable to afford
necessary facilities to the Municipality by
lending the services of W/S B N Ramanaik
~~about which the Council is very anxious~~
to the Mandya town Municipality

19) The Recommendation may perhaps
be approved with the Concurrence of the
General Secretary - Reference para 11 Supra

Recommended 10/11/68

20 In the circumstances
it is desirable that the services
of W-S N Ramanaik are
placed at the disposal of
the municipality.

OFFICE OF THE MINISTER FOR AGRICULTURE AND PUBLIC WORKS
1 1048
3033

Minister for
Agriculture

Secretary

5913
OF THE DIRECTOR FOR
LOCAL SELF GOVT
No 1364/585
Date

SECRETARY
6/3

21) I have no objections to the proposal. There are some papers in this connection pending submission to Minister. Concurrence of Minister is necessary

Minister for Agriculture
HP 4134 28/2
27/2/68
28/2
17/1

Serial No

Left Co- es put up for approval

15/3/48 Dr 15/3/48

Above above

15/3/48

G o no L 14636-8/ml 3-47-35 of 18 3

Sanctions the proposal

To

1) The D e, Mandya Dt
2) Supt. Govt Gardens
3) Comptroller to Govt

B-22 3-48

NOTE—Contn Sheet

File No. of 194

General and Revenue Secretariat

Serial No

683

AF

GOVERNMENT OF MYSORE

Telegram / phone

No 3514
Encls 2

14 AUG 1947

To

OFFICE OF 1135
The Superintendent,
Government Botanic Gardens,
Lalbagh, Bangalore,
Date 9th August 1947

The Secretary to the Government of
His Highness the Maharaja of Mysore,
General Department,
Bangalore

Sir

Subject - Transfer of Municipal Gardens, Mandya to the control of -

I have the honor to state that during my recent visit to Mandya, I inspected the Municipal Park which is in a very neglected condition There is practically no fencing, and the footpaths require immediate re-metalling The park has to be thoroughly weeded out, the lawns renovated and the shrubberies replanted The original layout has to be relaid and the garden, then maintained, under expert supervision

The Municipality has no facility to maintain it Though it realised its inability to maintain the park satisfactorily as early as 1941, and requested Government to transfer the park to the control of thi department, the proposal was subsequently withdrawn by another resolutio of the Municipality as evident from the copy of letter No L 12017/M1 120 41-63 dated 26th June 1942 from the Secretary to Government of Mysore, Law Department, Bangalore, enclosed

During 1946, in reply to the frequent requisitions from the sam Municipality, to spare the services of an experienced Overseer to look after the park, this department once again renewed its offer to accept the responsibility to maintain the park, subject to the same conditions as on the previous occasion The Municipality once again failed to take advantage of the offer by coming to the conclusion that the Municipality alone should maintain the park by itself (Vide copy of the reply enclose

I had to submit the above information to the Minister for Agriculture and Public Works, when he recently enquired into the reasons for the present deteriorated condition of the park Under his instructio -s
I have once again referred the question to the Deputy Commissioner, Mandy

Landya District, Landya, to request the Municipality to reconsider its decision in the interest of the park

I therefore request you kindly to obtain sanction of Government to transfer the Municipal Park at Landya to the control of this department, its annual maintenance charges of Rs 5,000/- being recoverable from the Municipality every year Expenditure for the non-recurring items such as repairing the fencing, re-metalling of the paths, renovating lawns and purchase of plants, tools and implements, will also have to be met from the Municipality

I have the honour to be

Sir

Your most obedient servant,

Superintendent,
Government Gardens

KVP

Copy of the letter No L 12017/M1 120-41-c3 dated 26th June 1942 from the Secretary to Government of Mysore, Law Department, Bangalore, to the Deputy Commissioner, Mandya District, Mandya -

Subject - Maintenance of the Municipal Parks at Mandya by the Department of - Horticulture

---

Sir,

With reference to the correspondence ending with your - letter No A5-2675/40-41 dated 5th June 1942 on the above subject, I am directed to state that the proposal of the Mandya Town -- Municipal Council to hand over the maintenance of the municipal parks at Mandya to the Department of Horticulture by payment of a lumpsum annual contribution by the municipal council may be - treated as dropped as resolved by the said municipal council on 29th April 1942 and recommended by you for the reasons set forth in the correspondence

I have the honour to be

Sir

Your most obedient servant,

Sd A Sundararaja Rao,

Secretary to Government,
Law Department

Memo No L 12018 dated 26th June 1942

Copy of the above is forwarded with compliments to the Director of Horticulture in Mysore, Bangalore, with reference to his -- letter No 3002/A dated 28th March 1942 addressed in the matter to the Deputy Commissioner, Mandya District for information

Sd G Ramachandran ,
For Secretary to Government,
Law Department

COPY

Superintendent,
Government Gardens

KVP

Copy of the letter No A1 Oc 345/45-46/Enc One Resolution dated 8th January 1947 from the President, Town Municipal Council, Mandya, to the Superintendent, Government Gardens Bangalore -

Sir,

With reference to your d o No 958/4 dated 17 10 46 from the regarding the transfer of the Municipal park to the -- control of your department for maintenance I have the - honour to state that Municipal Council have resolved at their meeting held on 9-12-46 that Municipality itself will -- maintain the park A copy of the resolution is enclosed for favour of information

I have the honour to be

Sir

Your most obedient servant

Sd/- H Honnaiya,

President,
Town Municipal Council,
Mandya

COPY

Superintendent,
Government Gardens

KVP

Co y of letter No.35/H dated the 9th August 1947 from the Superintendent, Government Botanic Gardens, Lalbagh, Bangalore, t the Secretary to Government, General Depart ent, Bangalore.

***

Subject Transfer of Municipal Gardens, Mandya to the Control of -

***

I have the honour to state that durin my recent visit to Mandya I inspected the Municipal Park which is in a very neglected condition. There is practically no fencing, and the footpaths require im ediate re-metalling. The park has to be thoroughly weeded out, the lawns renovated and the shrubberies replanted. The original layout has to be relaid and the garden, then maintained, under expert supervision.

The Municipality has no facility to maintain it. Though it realised its inability to maintain the park satisfactorily as early as 1941 and requested Government to transfer the park to the Control of this depart ent, the proposal was subsequently withdrawn by antoher resolution of the Municipality as evident from the copy of letter No.L.12017/41.120-41-63 dated the 26th June 1942 from the Secretary to Government of Mysore Law Depart ent, Ban aloro, enclosed.

Durin 1946 in reply to the frequent requisitions from the same Municipality, to spare the services of an experienced over to look-after the park, this depart ent once again renewed its offer to accept the responsibility to maintain the park subj ct to the same conditions as on the previous occasion. The Municipality once gain failed to take advantage of the offer by comin to the conclusion that the municipality alone should maintain the park by itself (Vide copy of th the rely enclosed).

I had to sub it the above information to the Minister for Agriculture and Public works when he recently enquired into the reasons for the present deteriorated condition of the park. Under his instruction I have once again referred the question to the De uty Commi sioner, Mandya District, Mandya, to request the Municipalit reconsider its decision in the interest of the park.

I therefore request you kindly to obtain sanction of Government to transfer the Municipal Park at Mandya to the Control of this department, its annual maintances charges of Rs.5,000 being recoverable from the Municipality every year. Expenditure for the nonrecurring items such as reparing the fencing, re-metalling of the paths renovating lawns and purchase of plants, tools and implements, will also have to be met from the Municipality.

***

Copy of the letter No.A1.OC.345/45-46 Enc. One resolution dated the 8th January 1947 from the President, Town Municipal Council, Mandya to the Superintendent, Government Gardens Bangalore.

***

With reference to your D.O.No.958/4 dated the 17th October 1946 regarding the transfer of the Municipal Park to the Control of your department for maintanance I have the honour to state that Municipal Council have resolved at their meeting held on 9th December 1946 that Municipality itself will maintain the park. A copy of the resolution is enclosed for favour of information.

***

Copy of the letter No.L.12017/41.120-41-63 dated the 26th June 1942 from the Secretary to Government of Mysore, Law Department, Bangalore, to the Deputy Commissioner, Mandya District, Mandya.

***

Subject Maintenance of the Municipal Parks at Mandya by the Department of Horticulture.

**

With reference to the correspondence ending with your letter No.A5.2675/40-41 dated the 5th June 1942 on the above subject, I am directed to state that the proposal of the Mandya Town Municipal Council to hand over the maintenance of the Municipal parks at Mandya to the Department of Horticulture by payment of a lumpsum annual contribution by the Municipal Council may be treated as dropped as resolved by the said municipal council on 29th April 1942 and recommendd by you for the reasons set forth in the correspondence.

***

L 9594

23/9/47

C No
Ref on Pet No } 19 —19
App No

Dis No

Enclosure Dated
Approved on
Copied on by
Examined on by
Signed on Despatched on
Entered in—
Current } Register on
Petition
Appeal } By

Periodical

Reminded on

WD 0639—GBP—75 000—15 6 45

DRAFT

To

The The Dy Commr, Mandya Dt

Docket Abstract

Sir,

I am directed to forward herewith a copy of letter no 35/4 Dy 9-8 47 received from the Supdt, Govt Botanic Gardens Lalbagh, Bangalore, in regard to the transfer of the control of the Municipal Park at Mandya to the Gardens' Deptt and to request you to advise the Mandya Town mcl to accede to the proposal of the Gardens Deptt, as it is desirable that the Park, which has been formed at considerable expense & effort, should be maintained in a proper condition, worthy of the District Headquarters. The considered opinion of the mcl may be kindly forwarded for the orders of Govt

T.S. if type/

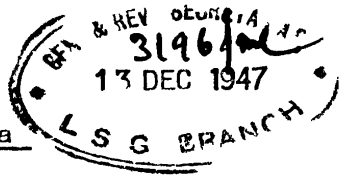
Yours etc
for
for Secy to Govt

Memo 9595 23/9/47
copy to the Supdt Govt Botanic Gardens Lalbagh for info re
D. forwd Rev Deptt

ml 3-47-34

No A5-2199/44-45
Encls. 8

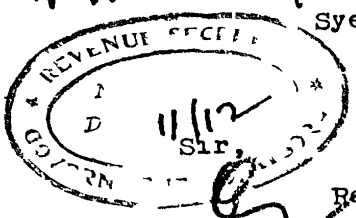
Office of the Deputy Commissioner,
Mandya district,
Mandya, dated 6th December 1947



From

K Mohamed Ahmed, Esq, B A,
Deputy Commissioner,
Mandya district, Mandya

ml
MVS To [illegible]



Syed Abdul Aleem, Esq, B A,
Secretary to Government,
Revenue Department,
Bangalore

Sir,

Re Transfer of the Municipal park at Mandya, to the control of the Gardens Department

---

With reference to your letter No L 9594 dated 23-9-47 on the above subject, I have the honour to enclose herein a copy of letter No A1 O C 345/45 dated 12-11-47, together with its enclosures received from the President, Town Municipal Council, Mandya and to state that the Park may be allowed to be continued under the control of the Municipality, in view of the emphatic refusal of the Municipal Council to hand it over to the Gardens Department for management and also to request you in the Special Circumstances explained by the President and as resolved by the Municipal Council at their Meeting held on 31-10-47 to address the Superintendent, Gardens department, Bangalore to post Mr G M Rama Naik referred to in the letter of the President to the Municipality, as Park-Overseer

I have the honour to be,

Sir,

Your most obedient servant,

Deputy Commissioner,
Mandya district

MVS 2

Copy of letter No A1 O C 345/45 dated 12th November 1947, from the Presidant, Town Municipal Council, Mandya, to the Deputy Commissioner, Mandya district, Mandya

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Subject Transfer of the Municipal Park at Mandya , to the control of the Gardens department

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Reference 1 Deputy Commissioner's memo No A5-2199/46 dated 19-10-47

2 Deputy Commissioner's Memo No A5-2199/46 dated 27-10-47

With reference to the above and requesting to advise the Municipal Council to accede to the proposals of the Superintendent, Government Gardens and to furnish the considered opinion of the Municipal Council, early, in the above matter, I have the honour to state that it is only after obtaining the well considered opinion of the Council in their General Meetings held on 9-12-46 and 30-9-47, to the effect that the park now maintained by this Municipality need not be transferred to the control of the Gardens department, a recommendation based on the well considered opinion of the Council was made in this office letter Nos A1-O C 345/45-46 dated 8-8-47, and 30-9-47, wherein it is clearly reported that the park cannot be transferred to the control of the Gardens department and that the same should be maintained well by this Municipality itself, by indenting upon a competent and experienced Overseer to supervise and maintain the park in a good condition

In this connection, I would like to bring to your kind notice that the Councillors are not inclined in the matter of transferring the park to the control of the Gardens department and nothing more can be done than the Municipal Council's resolution already passed on two occassions on 9-12-46 and 30-9-47

Besides the above, the resolution of the Councillors, the passed, the subject cannot be placed again before the Council, before the expiry of a period of three months from the date of the resolution as contemplated in Section 27(a) of the Town Municipal Act

In view of the fact that consequent on the omission on the part of the Superintendent, Government Gardens, in not posting an experienced overseer in spite of repeated requests, such an attitude has been taken by the Superintendent, Government Gardens in moving the Government and asking for the transfer of the park to him for which proposal the Council cannot accede to

The leading citizens of Mandya, having presented a copy of the petition dated 18-10-47, addressed to the Minister for Public Works department & Agriculture requesting him to post one Mr G M Rama Naik, who was an Overseer in this Municipality on whose instance and toils the park of this Municipality was well laid and who had maintained in an excellent condition the park till October 1942 and who is now working in the Gardens department, the petition so presented was placed before the Council at their general meeting held on 31-10-47, to furnish their opinion in the matter The Council have considered the petition addressed to the Minister very carefully and have resolved that the services of Mr G M Rama Naik as an Overseer may be got for the maintenance of the park of this Municipality by addressing the Government An extract of the Council'sresolution on subject No 99/47/ dated 31-10-47, on the subject-matter of the petition under reference is herewith enclosed for kind perusal

P T O

In view of the several recommendations already made in this behalf and in view of the fact that the Council have resolved that the services of G M Rama Naik as an Overseer may be kindly be got for the park for its maintenance, I request that the Government may kindly be addressed in the matter, requesting that the question of transfer of the park to the control of the Gardens Department may be dropped and to address the Superintendent, Government Gardens to place immediately the services of Mr. G M Rama Naik on his own pay for work as Park Overseer of this Municipality I may also bring to your notice that about 3 months back Honourable Dr T.C.M Royan, M D , the then Health Minister who visited this Municipality, has also suggested that the park should be maintained by the Municipality as in the case of Bangalore - City

The connected references received with your memo are all returned herewith for kind perusal and early needful in the matter.

Copy

for Deputy Commissioner,
Mandya district

MVS 2.

G R S App F VI—G 2]

SUBJECT

4 Copies

Diary No of letter replied to 3196/ml

Section Ml

File No 3-47

Serial No 35

General and Revenue Secretariat

( )

the *193*

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue 18/3/48 193

Letter No 35/11 of 9 8 47 from the Supdt Govt Gardens Signed by Submitting proposals for the transferring the Municipal gardens, at Mandya & the Control of the gardens Dept and Requesting Sanction thereto

Read— 1) Correspondence ending with the letter No A S 2199/44 45 dated 6 12 47 from the Dc Mandya District forwarding for Sanction the Resolution of 9 12 46, and 30 9 47 of the Mandya Town Municipal Council expressing itself against the transfer of the Municipal gardens at the place to the control the gardens Dept and that the decision is communicated to ~~Govt may be pleased to issue~~ orders on the Council Municipality to effect the matter & the Municipality and 2 reporting upon the Services of a competent and experienced Horticulturist overseer for the purpose

May this be—

(i) printed ?

(ii) treated as a standing order ?

(iii) published in the Gazette English Part ?

(iv) translated ?

(v) placed at the disposal of the press ?

(vi) published in the Gazette Kannada Part ?